

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL W. HILL,

) Docket No. 03-323E  
) (Judge Susan Paradise Baxter)  
)  
) ELECTRONICALLY FILED PLEADING  
) PLAINTIFFS' MOTION FOR EXTENSION  
) TO FILE RESPONSE TO MOTION FOR  
) SUMMARY JUDGMENT  
)  
) Filed on behalf of: Plaintiffs  
)  
) Counsel of record for this party:  
)  
) Richard A. Lanzillo, Esq.  
) Knox McLaughlin Gornall  
) & Sennett, P.C.  
) 120 West 10<sup>th</sup> Street  
) Erie, PA 16501  
) Telephone (814) 459-2800  
) Facsimile (814) 453-4530  
) Email [rlanzillo@kmgslaw.com](mailto:rlanzillo@kmgslaw.com)  
) PA53811

UNITED STATES OF AMERICA,  
JOHN J. LAMANNA, WILLIAM K.  
COLLINS, MARTY SAPKO,  
STEPHEN HOUSLER, ROBERT  
KLARK, ROBERT REOME,  
BETH FANTASKEY, and  
DEBORAH FORSYTH.

## Defendants

) Docket No. 03-368E  
) (Judge Susan Paradise Baxter)

LESLIE R. KELLY.

1

VS

1

UNITED STATES OF AMERICA,  
JOHN J. LAMANNA, MARTY SAPKO,  
DEBORAH FORSYTH, STEPHEN  
HOUSLER

## Defendants

1

KEVIN SIGGERS, ) C.A. No. 03-355 Erie  
 ) (Judge Susan Paradise Baxter)  
 Plaintiff )  
 )  
 vs. )  
 )  
 UNITED STATES OF AMERICA, )  
 JOHN LAMANNNA, DEBORAH )  
 FORSYTH, MARTY SAPKO, and )  
 STEPHEN HOUSLER, )  
 )  
 Defendants )

MYRON WARD, ) Docket No. 04-11  
Plaintiff, ) (Judge Susan A. Paradise Baxter)  
vs. )  
UNITED STATES OF AMERICA, )  
JOHN LAMANNA, DEBORAH )  
FORSYTH, MARTY SAPKO, )  
STEPHEN HOUSLER, NED WATSON, )  
Defendants )

KENNY HILL, ) Docket No. 05-160E  
Plaintiff, ) (Judge Susan Paradise Baxter)  
vs. )  
JOHN J. LAMANNA, DEBORAH )  
FORSYTH, MARTY SAPKO, and )  
STEPHEN HOUSLER )  
Defendants )

**PLAINTIFFS' MOTION FOR EXTENSION**  
**TO FILE RESPONSE TO MOTION FOR SUMMARY JUDGMENT**

Plaintiffs, through their counsel, Knox McLaughlin Gornall & Sennett, P.C., respectfully move the Court for an extension to file their response to defendants' Motion for Summary Judgment, and state in support as follows:

1. On February 2, 2007, defendants filed their Motion for Summary Judgment, including a 94-page brief and a voluminous appendix of exhibits.
2. Under the Court's present scheduling order, plaintiffs' response to defendants' Motion for Summary Judgment is due on February 16, 2007.
3. Plaintiffs respectfully request that the Court grant them an extension of ten (10) days to respond to defendants' motion.
4. Compelling grounds for an extension exist due to the following:
  - a. Plaintiffs' medical expert has yet to receive x-rays necessary to determine whether he can offer a proper expert opinion regarding each of the plaintiffs;
  - b. The extensive and voluminous nature of defendants' motion and brief make it impossible to prepare an appropriate response to defendants' motion, particularly given the status of plaintiffs' medical expert review;
  - c. Plaintiff Kevin Siggers has been hospitalized at the Cleveland Clinic since early February with lesions on his throat and lungs, and, as yet, the etiology of his illness and condition has not been determined; and
  - d. Defendants have failed to comply with local rules that require the submission of a concise statement of material facts identifying the facts they contend are undisputed for purposes of their motion.

WHEREFORE, plaintiffs respectfully request a ten-day extension to respond to defendants' Motion for Summary Judgment.

Respectfully submitted,

KNOX McLAUGHLIN GORNALL &  
SENNETT, P.C.

BY: /s/ Richard A. Lanzillo, Esq.

Richard A. Lanzillo, Esquire  
PA I.D. #53811  
Neal R. Devlin, Esquire  
PA I.D. #89223  
120 West Tenth Street  
Erie, Pennsylvania 16501  
(814) 459-2800

Attorneys for Plaintiffs, Michael Hill,  
Leslie Kelly, Kevin Siggers, Myron Ward  
And Kenny Hill

# 714289